

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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TONI GEVING, on behalf of herself  
and all other similarly situated  
individuals,

Case No. 11-801 RHK/AJB

Plaintiff,

v.

Long Term Care Group, Inc. d/b/a  
UNIVITA HEALTH,

Defendant.

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**ORDER GRANTING CONDITIONAL  
CERTIFICATION OF FAIR LABOR  
STANDARDS ACT COLLECTIVE  
ACTION AND AUTHORIZING COURT  
APPROVED NOTICE**

Based upon the parties' Joint Stipulation for Conditional Class Certification and  
Judicial Notice,

IT IS ORDERED that, effective July 6, 2011, Plaintiff's Fair Labor Standards Act  
action be conditionally certified as a collective action and the conditionally certified class  
shall receive notice and the opportunity to opt-in to this collective action.

IT IS FURTHER ORDERED that the conditionally certified class shall include  
**individuals employed by Long Term Care Group, Inc. d/b/a Univita or Long Term  
Care Group, Inc. (collectively, "LTCG") as Lead Customer Service Representatives,  
Call Center Leads, and Customer Service Team Leads between April 1, 2008 and  
February 26, 2011, who were classified as exempt and worked in excess of forty (40)  
hours in one or more workweeks during that period without receiving overtime pay.**

IT IS FURTHER ORDERED that Defendant shall provide Plaintiff's counsel with a list no later than ten (10) days after electronic filing of the Court's Order regarding this Stipulation, in electronic format (i.e., Microsoft Excel (.xls), or Symbolic Link (SYLK (.slk))), of all persons who are or have been employed by it as a Customer Service Team Lead, Lead Customer Service Representative, and/or Call Center Lead, and who were classified as exempt employees under the FLSA, at any time within the three years prior to this action's March 31, 2011 filing date through February 26, 2011, including their full name, most recent known address, dates of employment as a Customer Service Team Lead, Lead Customer Service Representative, and/or Call Center Lead, states where employed, and the last four digits of their social security number or their dates of birth ("Notice Information"). Notice Information is to be used and disclosed by Plaintiff and Plaintiff's counsel solely for the purposes of handling this lawsuit and administering the claims which are subject to this action.

IT IS FURTHER ORDERED THAT the parties' stipulated Notice of Pendency of Lawsuit and Plaintiff Consent Form will be sent to each potential class member on or about July 20, 2011 and that the deadline for any member of the conditionally certified class to file a consent with the Court to become a party plaintiff will be September 3, 2011.

Dated: July 6, 2011

s/ Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge